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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☒ Declaration
Submitted
With Initial
Filing

OR

☐ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number 25062.0002

First Named Inventor P. Waldorf

COMPLETE IF KNOWN

Application Number To be assigned

Filing Date Concurrently herewith

Art Unit To be assigned

Examiner Name To be assigned

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ANTI-ROOSTING DEVICE

the specification of which (Title of the Invention)

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☒ Customer Number 23517 OR ☐ Correspondence address below

Name

Edward A. Pennington, Esq.

Swidler Berlin Shereff Friedman, LLP

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

Philip M.

(first and middle [if any])

Family Name

Waldorf

or Surname

Inventor's
Signature

Date

Residence: City

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Country

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NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

Sean

(first and middle [if any])

Family Name

Smith

or Surname

Inventor's
Signature

Date

2/17/04

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07849

Country

USA

☐ Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): P. Waldorf *et al.*

Attorney Docket No: 25062.0002

Application No.: To Be Assigned

Group Art Unit: To Be Assigned

Filed: Concurrently Herewith

Examiner: To Be Assigned

For: ANTI-ROOSTING DEVICE

POWER OF ATTORNEY BY ASSIGNEE

Under the provisions of 37 C.F.R. § 3.71, BELL ENVIRONMENTAL SERVICES, the undersigned assignee of record of the entire interest in the above-identified patent/patent application by virtue of an assignment recorded (check as applicable):

☒ Concurrently Herewith
☐ Date Recorded
☐ Reel / Frame

elects to conduct the prosecution of the application/maintenance of the patent to the exclusion of the inventor(s). The undersigned hereby declares that he has reviewed the above-referenced assignment and hereby declares that, to the best of his knowledge, title is in the Assignee, and further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true. The assignee hereby revokes any previous powers of attorney and appoints the following to prosecute this application/maintain this patent and transact all business in the Patent and Trademark Office connected therewith:

Edward A. Pennington	32,588	John P. Moran	30,906
James H. Laughlin, Jr.	22,947	John P. Mulgrew	47,809
Sean P. O'Hanlon	47,252	Stephanie D. Scruggs	54,432
Kenneth Y. Lo	51,961	Robert C. Bertin	41,488
Chadwick A. Jackson	46,495	Alicia A. Meros	44,937
Michael A. Schwartz	40,161		

all of Swidler Berlin Shereff Friedman, LLP having an address of 3000 K Street, N.W., Suite 300, Washington, D.C. 20007-5116. In addition, please direct all communications to:

CUSTOMER NUMBER 23517
SWIDLER BERLIN SHEREFF FRIEDMAN, L.L.P.
3000 K Street, NW, Suite 300
Washington, D.C. 20007
(202) 424-7500 Telephone (202) 295-8478 Facsimile

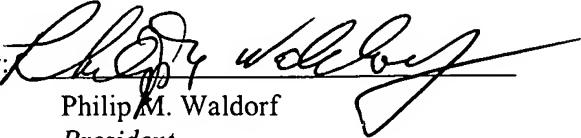
The above-identified attorneys are now to be indicated to have the full power to prosecute the captioned application before the U.S. Patent and Trademark Office.

ASSIGNEE
BELL ENVIRONMENTAL SERVICES

Date:

2/17/04

By:


Philip M. Waldorf
President

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**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Docket Number (Optional)
25062.0002

Applicant, Patentee, or Identifier: Bell Environmental Services

Application or Patent No.: To be assigned

Filed or Issued: Concurrently herewith

Title: ANTI-ROOSTING DEVICE

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Bell Environmental Services

ADDRESS OF SMALL BUSINESS CONCERN 229 New Road, Parsippany, NJ 07054, USA

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Philip M. Waldorf

TITLE OF PERSON IF OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 229 New Road, Parsippany, NJ 07054, USA

SIGNATURE  DATE _____

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.